

Application No. 10/587,802
AMENDMENT dated June 1, 2009
Response to Office Action of March 17, 2009

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

1 - 8. (Canceled)

9. (Currently Amended) ~~A~~ The composition ~~according to~~ of claim 8, characterised in that 21 wherein the compound of general formula (I) pyridylethylbenzamide derivative is N-{2-[3-chloro-5-(trifluoromethyl)-2-pyridinyl]ethyl} -2-trifluoromethylbenzamide.

10. (Currently Amended) ~~A~~ The composition ~~according to~~ of claim 1, characterised in that 21 wherein the compound capable of inhibiting the transport of electrons of the respiratory chain in phytopathogenic fungal organisms is a compound capable of inhibiting reduced nicotinamide-adenine dinucleotide dehydrogenase in phytopathogenic fungal organisms.

11. (Currently Amended) ~~A~~ The composition ~~according to~~ of claim 10, characterised in that wherein the compound capable of inhibiting the transport of electrons of the respiratory chain in phytopathogenic fungal organisms is diflumetorin.

12. (Currently Amended) ~~A~~ The composition ~~according to~~ of claim 1, characterised in that 21 wherein the compound capable of inhibiting the transport of electrons of the respiratory chain

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in phytopathogenic fungal organisms is a compound capable of inhibiting succinate dehydrogenase in phytopathogenic fungal organisms.

13. (Currently Amended) ~~A~~ The composition ~~according to~~ of claim 12 ~~characterised in that wherein~~ the compound capable of inhibiting the transport of electrons of the respiratory chain of succinate dehydrogenase in phytopathogenic fungal organisms is selected from the group consisting of N-[2-(1,3-dimethyl-butyl)-phenyl]-5-fluoro-1,3-dimethyl-1H-pyrazole-4-carboxamide, -(3',4'-dichloro-5-fluorobiphenyl-2-yl)-3-(difluoro-methyl)-1-methyl-1H-pyrazole-4-carboxamide, -[2-(1,3-dimethylbutyl)-thiophen-3-yl]1-methyl-3-(trifluoromethyl)-1H-pyrazole-4-carboxamide, benodanil, carboxin, fenfuram, flutolanil, furametpyr, mepronil, boscalid, oxycarboxin ~~or~~ and thifluzamide.

14. (Currently Amended) ~~A~~ The composition ~~according to~~ of claim ~~1~~, ~~characterised in that~~ 21 wherein the compound capable of inhibiting the transport of electrons of the respiratory chain in phytopathogenic fungal organisms is a compound capable of inhibiting mitochondrial ubiquinol:ferricytochrome-c oxidoreductase in phytopathogenic fungal organisms.

15. (Currently Amended) ~~A~~ The composition ~~according to~~ of claim 14, ~~characterised in that wherein~~ the compound capable of inhibiting the transport of electrons of the respiratory chain of mitochondrial ubiquinol:ferricytochrome-c oxidoreductase in phytopathogenic fungal organisms

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is selected from the group consisting of a strobilurin derivative, cyazofamid, fenamidone ~~or and~~ famoxadone.

16. (Currently Amended) ~~A~~ The composition according to ~~of~~ claim 15, ~~characterised in that~~ wherein the strobilurin derivative is selected from the group consisting of azoxystrobin, dimoxystrobin, fluoxastrobin, kresoxim-methyl, metominostrobin, trifloxystrobin, pyraclostrobin, picoxystrobin ~~or and~~ 2-{2-[6-(3-chloro-2-methylphenoxy)-5-fluoro-pyrimidin-4-yloxy]-phenyl}2-methoxyimino-N-methylacetamide.

17. (Currently Amended) ~~A~~ The composition according to ~~of~~ claim ~~1~~ 21 further comprising a fungicidal compound (c).

18. (Currently Amended) ~~A~~ The composition according to ~~of~~ claim 17, ~~characterised in that~~ wherein the fungicidal compound (c) is selected from the group consisting of captane, folpet, dodine, propineb, mancozeb, thiram, tolylfluanid, iminoctadine, dithianon, copper hydroxide, copper octanoate, copper oxychloride, copper sulfate, fosetyl-Al, phosphorous acid, cymoxanil, iprovalicarb, benthiavalicarb, chlorotalonil, propamocarb, prothioconazole, tebuconazole and spiroxamine.

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19. (Currently Amended) ~~A~~ The composition according to of claim ~~† 21~~, characterised in that it further ~~comprises~~ comprising an agriculturally acceptable support, carrier, filler and/or surfactant.

20. (Withdrawn - Currently Amended) A method for preventively or curatively controlling phytopathogenic fungi of crops, ~~characterised in that~~ wherein an effective and non-phytotoxic amount of a composition according to claim ~~† 21~~ is applied to the seed, the plant and/or to the fruit of the plant or to the soil in which the plant is growing or in which it is desired to grow.

21. (New) A composition comprising:

a) a pyridylethylbenzamide derivative selected from the group consisting of: N-{2-[3-chloro-5-(trifluoromethyl)-2-pyridinyl]ethyl}-2-trifluoromethylbenzamide; N-{2-[3-chloro-5-(trifluoromethyl)-2-pyridinyl]ethyl}-2-iodobenzamide; and N-{2-[3,5-dichloro-2-pyridinyl]ethyl}-2-trifluoromethylbenzamide;
as to the N-oxides of 2-pyridine thereof;
and

b) a compound capable of inhibiting the transport of electrons of the respiratory chain in phytopathogenic fungal organisms;

in a (a) / (b) weight ratio of from 0.01 to 20.